

**Report and Recommendation  
Of the  
Highlands Area Citizen's Zoning Task Force**

November 8, 2006



The Highlands Area Citizen's Zoning Task Force  
was appointed by Mayor Kathy Keolker  
on October 9, 2006

Task Force Members:

Kirk Moore, Chair  
Steve Beck  
Theresa Elmer  
Mark Gropper  
Jennifer Hawton  
Bimal Kumar  
Howard McOmber  
Colin Walker  
Scott Weiss  
Sandel DeMastus, alternate

The Highlands Area Citizen's Zoning Task Force was composed of a group of citizen volunteers, appointed by the Mayor, and approved by the City Council. Task Force members were recruited from the Party of Records list from the Renton Highlands Sub Area zoning action, from the Highlands Community Association, from the Renton Housing Authority, from neighborhood business owners, and through general public notice. Task Force membership was chosen to reflect commercial, community, property owner, and resident interests within the areas of the Highlands affected by proposed Comprehensive Plan Land Use and Zoning changes.

### Purpose

The purpose of the Task Force was to provide additional citizen and property owner input into the zoning decisions within the Highlands study area. This Task Force convened for a limited time with the specific purpose to review the draft land use and zoning changes. This included review of proposed Comprehensive Plan Text Amendments, proposed Comprehensive Plan Land Use Map Amendments, proposed Zoning Map Amendments, and proposed Zoning Text Amendments. After reviewing the proposed changes, the Task Force was charged with putting together a set of recommendations for City Council review.

This report contains the recommendations of the Highlands Area Citizen's Zoning Task Force. It lists issues of concern that Task Force members identified, and proposed solutions. Task Force proposed Comprehensive Plan and zoning amendments are attached to this report in the following appendices:

- Appendix A- Task Force Proposed Land Use Map
- Appendix B- Task Force Proposed Zoning Map
- Appendix C- Task Force Proposed Comprehensive Plan Text Amendments
- Appendix D- Task Force Proposed Zoning Text Amendments

### Process

Since the Task Force was formed members have met twice a week with City staff. In the first phase of the process, staff briefed the Task Force on the current zoning regulations in effect in the Highlands study area, as well as the proposed changes. Initial briefings also included review of the Comprehensive Plan land use policies in effect for the neighborhood. During the second phase, each Task Force member developed his or her own zoning map for the study area. Individual zoning concepts were consolidated into three small-group concepts by consensus. From these three maps, the Task Force consolidated the information into a single mapping proposal.

Throughout the process of the briefings and the mapping exercise, a number of issues surfaced regarding land use policy and zoning regulations. These issues were collected throughout the first two phases of the process and brought back to the Task Force for discussion and recommendation in the third phase of the process. Decisions during this phase were also made by consensus of the Task Force. Staff provided additional information as requested and provided further assistance in interpreting the details of zoning and land use regulation.

Although the recommendations of the Task Force were formed through consensus, there was always the option to create a minority report. Given that there has been a fair amount of contention in the Highlands study area over proposed land use and zoning changes, the City Council authorized the creation of a minority report if necessary. A minority report allowed the opportunity for a group of at least three Task Force members to present an alternative recommendation from the rest of the group. Thus, if there were areas in which the Task Force just could not agree, there would be a series of alternative recommendations.

### Task Force Recommendations

#### *Comprehensive Plan Land Use Designations and Policies*

All zoning is required by law to be consistent with the City of Renton's Comprehensive Plan. The Task Force completed a land use map for the study area. Implementation of the Task Force proposal requires some Comprehensive Plan Text and Land Use Map Amendments. Appendix A contains the Task Force Proposed Land Use Map. This map shows the proposal to include the residential area north of NE 16<sup>th</sup> Street in the Center Village (CV) land use designation. It also includes the recommendation to include the multi-family areas south east of NE 12<sup>th</sup> Street and Monroe Ave NE, and east of Harrington Avenue NE between NE 7<sup>th</sup> Street and NE 9<sup>th</sup> Street in the Residential Multi-Family (RMF) land use designation. Appendix C contains the Task Force Proposed Comprehensive Plan Text Amendments. The Task Force recommended that Residential-14 (R-14), Center Village (CV), and the Residential Multi-family (RM-F, RM-U, and RM-T) zones implement the Center Village Comprehensive Plan Land Use Designation.

#### *Zoning Map*

Rezoning of property in the Highlands Study Area is a very important issue to the residents and property owners there. The Task Force completed a zoning map for the study area. A modest up-zone to Residential- fourteen units per acre (R-14) was recommended for much of the current Residential- ten units per net acre (R-10) zoning in the study area. R-14 zoning was also recommended for the duplexes north of Sunset Boulevard in the vicinity of Glenwood Avenue NE and Harrington Avenue NE. Center Village (CV) zoning was expanded along Sunset Boulevard, in a few parcels adjacent to the existing commercial area, and the Houser Terrace and Evergreen Terrace properties owned by the Renton Housing Authority. Rezoning to Residential Multi-Family (RM-F) was recommended for three strips of properties: a strip along Kirkland Avenue NE, a strip south of NE 12<sup>th</sup> Street, and a strip along Harrington Avenue NE. Appendix B contains the Task Force Proposed Zoning Map.

#### *Non-Conforming Uses*

Past zoning proposals for this area included the possibility of implementing zoning that did not allow existing residential uses, such as duplexes and single-family homes. In such situations, the existing use is considered a legal non-conforming use. Legal non-conforming is the technical term for "grandfathered in". It means that the use is allowed to continue but may not expand or enlarge. Several members of the Task Force wished to ensure that the zoning proposal allow existing residential uses to remain legal and conforming. The recommended zoning proposal eliminates the issue of non-conforming

uses. All existing use types (duplexes, single-family uses) are allowed uses in the proposed zoning package.

#### *Property Redevelopment*

One of the most debated issues in the package of proposed zoning changes was a requirement that when properties came in for subdivision, the existing unit had to be removed. This would only affect those applying for division of their properties, and not to other changes like remodels or additions. However, the Task Force felt that property owners should not be required to remove existing units in order to subdivide their property. In lieu of requiring the removal of existing units, the Task Force indicated that property owners should be required to upgrade the existing units. Unfortunately, building and related codes make this impossible to implement without declaring the unit a hazard. The Task Force did not wish to create a situation in which existing units were declared hazardous. However, the Task Force did recommend deleting the provision that required the removal of existing units upon subdivision.

#### *Affordable Housing*

Keeping the neighborhood an affordable place to live for people in all stages of their lives was important to the members of the Task Force. In the R-14 zone, there is an allowed density bonus of 18 units per net acre. The Task Force recommended keeping the proposed incentive of creating two units of affordable housing as one of the options to achieve the density bonus. The Task Force also recommended implementing an incentive geared toward public agencies and non-profit organizations whose mission is to provide affordable housing. An incentive was recommended that would allow a bonus of 30 units per net acre for any project, of at least two acres, in which a minimum of 50% of the units developed would be affordable to those with incomes of 50% of the Area Median Income.

#### *Limits on Commercial Development*

While the Task Force liked the flexibility of the R-14 zone, there was general concern that it could allow some small commercial uses in a residential area. To prevent this, the Task Force recommendation specifically prohibits on-site services, retail, and eating/drinking establishments in this area unless they are accessory to a community, school, or recreational use. This would allow the possibility for a small business like an espresso stand or bicycle rental to locate in a park or the Community Center. A hearings examiner conditional use permit would be required. The Task Force also recommended that new, indoor recreational uses should be allowed in the R-14 zone to allow for redevelopment of the North Highlands Community Center property.

#### *Commercial Development Amendments in the Center Village Zone*

The CV zone is primarily oriented toward commercial development. Residential uses are allowed, but some limits must be put in place to ensure that as the area begins to redevelop, residential uses will not dominate this zone. As a result, the Task Force recommended increasing the minimum residential density in this area to 20 dwelling units per net acre. This will prevent lower density residential-only redevelopment from occurring in the commercial area. The Task Force also recommended a standard which

requires commercial development in properties fronting on Sunset Boulevard. This proposes that commercial development occupy a minimum of 75% of the frontage on Sunset. Another Task Force recommendation was to allow a ten foot height bonus in the CV zone for properties that have first floor commercial development. This allows building of four stories of residential over first floor commercial development, an important incentive for the development of mixed use commercial and residential buildings.

#### *R-14 Zone Density*

The Task Force recommended raising the minimum density in the R-14 zone to ten units per acre to comply with the Comprehensive Plan for the Center Village Land Use Designation. The Task Force also recommended keeping the current bonus system in the R-14 zone that allows densities up to 18 units per net acre. In order to receive the bonus, however, the proposed development would have to offer one of the following desired items: alley access, open space, or affordable housing.

#### *Design Regulations*

The Task Force recommended implementation of Design Regulations for all properties within the Center Village land use designation. The regulations consist of standards and guidelines that would be applied to new development.

#### *Minimum Lot Size for Detached Residential Development*

The Task Force recommended that the minimum lot size for single-family detached residences in the R-14 zone be set at 5,000 square feet.

#### Next Steps

The Highlands Area Citizen's Zoning Task Force has recommended a complete package of land use and zoning changes. These proposed changes are currently in environmental review and the City's Environmental Review Committee is expected to issue an environmental determination on November 13, 2006. November 13<sup>th</sup> is also the scheduled date for a City Council public hearing on the proposed Comprehensive Plan changes included in this recommendation. Upon completion of the environmental review and the public hearing processes, the City Council should consider the Task Force recommendations for adoption.

Beyond possible adoption, the Task Force identified a number of issues beyond their immediate scope of work. Issues that the Task Force feels merit further consideration by the City, include:

- Implementation of a minimum property maintenance code that would address potential life safety issues in existing units
- Affordable housing strategies for the Highlands, and the City as a whole, including zoning incentives, tax incentives, and possible fee reductions
- Consideration of storm water regulation implementation in the Highlands
- Development of properties for parks and recreation uses by the City
- Completion of a full sub area plan for the study area

- Consideration of implementation of Cottage Housing standards in the Highlands and Citywide.

In addition to addressing these issues, the Task Force highly recommends that the City continue to work with a Citizen's Task Force in the revitalization and redevelopment of the Highlands Study Area.